

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
v.) No. 4:06CR276 CDP
)
NOAH LEE ELL,)
)
 Defendant.)

ORDER

This matter is before the Court on defendant Noah Lee Ell's motion to suppress evidence and statements.

Pursuant to 28 U.S.C. § 636(b), the motion was referred to United States Magistrate Judge David D. Noce. An evidentiary hearing was held on July 21, 2006, and thereafter Judge Noce filed his Report and Recommendation regarding the defendant's motion. On August 11, 2006, defendant filed his objections to Judge Noce's recommendations.

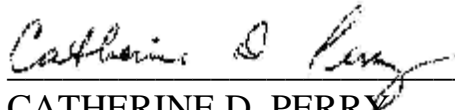
The Court has conducted a de novo review of all matters relevant to the motions. After careful consideration, I concur with Judge Noce's findings and conclusions. None of defendant's constitutional rights were violated in the stop and seizure conducted here, and there is no basis for suppressing any of the evidence

seized or the statements made. I will therefore adopt and sustain the thorough reasoning of Magistrate Judge Noce set forth in support of his recommended rulings issued on July 31, 2006.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#20] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant's motion to suppress evidence and statements [#17] is denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of September, 2006.